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## EVELYN'S AFFIDAVIT IS ADMITTED TO EVIDENCE

**The Affidavit Tells of Abuses to Which Evelyn Was Subjected at the Hands of Thaw While They Were on Their Tour of Europe.**

**Rawhide Was Used Upon Her at Various Times Without Provocation—Reference Which is Made to a Married Man is Supposed to Mean White—The State Rests its Case and the Defence Reads the History of Abe Hummel, and His Conviction for Preparing False Testimony.**

New York, March 18.—The famous affidavit, with which Abe Hummel was sworn to and signed by Evelyn Nesbit, was admitted to evidence at the Thaw trial today, after a bitter legal battle between Jerome and Delmas. The fight for the admission of the affidavit has raged for days. Justice Fitzgerald finally let it in.

The affidavit tells of the trip of which Thaw and Evelyn made to Europe, when they traveled as husband and wife and were known as Mr. and Mrs. Delmas. Evelyn then tells of living at a castle in the Austrian tyrol. The first morning after their arrival, she went to breakfast with Thaw clad only in a bathrobe. The affidavit continued: "After breakfast he (Thaw) said he wished to tell me something and asked me to step into my bedroom. I entered the bedroom when Thaw, without provocation, grasped me by the throat and tore the bathrobe from my body, leaving me nude except my slippers. He was in a dreadfully excited condition. His eyes were glaring and his hands grasped a rawhide whip. He threw me on the bed and when I attempted to scream, Thaw placed his fingers in my mouth and tried to choke me. Then without the slightest provocation, he inflicted upon me several blows with the rawhide whip. I begged him to desist, but he refused. I shouted and I cried. He stopped for a minute to rest and then renewed his attack, beating me with the rawhide whip. I screamed for help but no one heard me. Thaw renewed his brutal attacks until I was unable to move.

The next morning, Thaw came into my bedroom and administered another castigation similar to that of the day before. He took a rawhide whip and belabored me on my bare skin. I swooned. He left me in a frightful condition. It was nearly three weeks before I had sufficiently recovered to get

out of bed and walk."

The affidavit tells of other similar beatings in Switzerland and Paris and says that Thaw never stated what provocation he had for the beatings.

The affidavits also says that Evelyn found a hypodermic syringe in Thaw's belonging, and that he tried to make her take cocaine. It also says that Thaw threatened to kill her, unless she admitted the truth of things he told others about her. It says that Thaw took her jewels and money and refused to return them. After telling that she had been trailed by detectives, hired by Thaw, the affidavit continues:

"I have been repeatedly told by the said Thaw, that he is very inimicable to a married man, whom he said he wanted me to injure, and that Thaw would get him into the penitentiary; then said Thaw had begged me time and time again to swear to written documents which he had prepared, involving this married man and charging him with drugging me and having betrayed me, when I was fifteen years of age. This was not so, and I so told him. But because I refused to sign these papers, Thaw not alone threatened me with bodily injury, but inflicted upon me the great bodily injury I have herein described."

The affidavit was sworn to October 27, 1903. It was to have been the basis of a suit against Thaw for alleged ill-treatment of Evelyn.

Jerome, after playing his trump card, threw his hand on the table and announced:

"The people rest."

At the end of the legal battle, Delmas changed his attitude and claimed that the affidavit had been drawn by Hummel and signed by Evelyn without her knowing its contents.

"Let Mrs. Thaw tell of the birth of the affidavit and I want it read," then Delmas began the job of impeaching the affidavit by reading the record of Hummel's conviction for

preparing false testimony in another case.

New York, March 18.—Harry K. Thaw spent a quiet Sunday in the Tombs. In the afternoon Lawyer Dan O'Reilly visited Thaw and helped him prepare in duplicate a letter sent from Lewellyn Gilliland of Van Wert, O., in which the latter denounces as an injustice the stories which he says were sent out last summer from Wooster, O., where Thaw and he were school mates at the Wooster university.

As Mr. O'Reilly was leaving the Tombs, he gave copies of the statement sent out by Mr. Gilliland, who signed a note to the effect that the interview was authentic.

M. Gilliland says:

"The college escapades of a man whose life is regarded as a success are looked upon by the world as jokes; let that same man afterward fall from grace and those same pranks are regarded as crimes, and thus it is that the escapades of Harry Thaw, who is now on trial for the slaying of Stanford White last summer on the roof of that noted architect's most famous structure, are being depicted as criminal, and that Thaw's career as such was begun while a lad in knee trousers in his early college days at Wooster, O."

Mr. Gilliland then, at considerable length, reviews Thaw's school life, pointing out that Thaw had been credited with many pranks in which he never participated, and that as a matter of fact, the prisoner's life at Wooster was in every way praiseworthy.

It is now said to be definitely settled by the lawyers defending Thaw that there will be no cross-examination of the six experts retained by the state, all of whom pronounced as their opinion that Thaw's sanity, when he killed Stanford White, was established beyond question, by the facts presented to them in the district attorney's hypothetical question.

This announcement was generally regarded as a victory for Delphin M. Delmas, the one lawyer for Thaw who, it is said, insisted from the first that Jerome's experts should not be questioned at all by the defense.

Henry Clay McPike, partner of Delphin M. Delmas, last night said that he defense would call as many experts as the prosecution had called, making six all told. These experts include Dr. Britton, Dr. Evans and Dr. Charles G. Wagner, who have already testified.

They will be recalled, however, to answer a hypothetical question. This question will include the statements of Dr. Deemar, the Thaw's family physician, regarding Thaw's early childhood.

## MURDER MYSTERY IS CLEARED BY A CONFESSION

Columbus, O., March 18.—Herbert Davidson, formerly of Ironton, O., last night confessed to the police that he murdered Miss Effie Mason, on the night of Feb. 20.

He says he choked her during a quarrel but did not know that she was dead until he read of it in the paper the next day. At the time he took the woman's watch and later pawned it. Last night he called at the pawnshop to redeem the watch, intending to take it to his sister at Marion, Ohio, when he was arrested on suspicion. He is charged with first degree murder.

Jesse Walker, a barber and a friend of the woman, was arrested for the crime a few days after its commission and was to have his hearing Tuesday morning. He is cleared by Davidson's confession.

## BOILER LETS GO

**Three Men Injured, One Fatally, on the C. H. & D. This Morning**

Cincinnati, O., March 18.—The boiler of a C. H. & D. freight engine exploded and Frank Burton, fireman, was fatally hurt. George Morgan and Walter Griffith, firemen, were seriously scalded.

## PLAYED ST. PETER

**Cut off the Offenders Ear with His Sword and was Shot**

St. Petersburg, March 18.—A shooting affray took place last night in the dining hall of the Grand Hotel de Europe between Prince Nikardze, a marshal of the nobility from Kuitais, and Capt. Kosloff of the East Siberian Sharpshooters.

In the midst of a spirited argument concerning the autonomy of the Caucasus, Prince Nikardze made a disparaging remark about Russian military prestige. Thereupon Capt. Kosloff drew his saber and cut off the prince's ear.

Reaching into his pocket the prince pulled a revolver and taking aim fired twice, the bullets penetrating the neck and breast of the captain. A surgeon was called in to sew on the prince's severed ear. Capt. Kosloff's wounds are dangerous.

## THREE OCEAN LINERS ARE ASHORE IN ENGLISH CHANNEL

### TIRED OF LIVING SO HE KILLED HIMSELF

Ravenna, O., March 18.—Alonzo Benley, aged sixty-five, suicided today with morphine. He left a note to his sister, Mrs. Stanton, of Streetsboro, saying he was sick of living.

### FAMILY ABSENT; BURGLARS MAKE HAUL

Fremont, O., March 18.—Burglars secured diamonds, watches and other jewelry, valued at \$1,500 from the home of E. A. Bristol, a wealthy citizen, during the absence of the family.

## DYNAMITE IS FOUND

**Enemies of Upton Sinclair Believed to Have Wrecked Helicon Hall**

Englewood, N. J., March 18.—The discovery of dynamite in the ruins of Helicon Hall Upton Sinclair's socialistic colony which was destroyed Saturday, indicate that the building was destroyed by enemies of the colony. An inquest is being held today and sensational developments are expected.

## CONFERENCE OF GOVERNORS

**Planned by Michigan's Governor to Consider Railroad Legislation**

Detroit, Mich., March 18.—Governor Warner, today, expressed a desire to meet Governor Harris of Ohio, and other governors of the central western states, at Chicago to consider railroad regulation and agree on some plan to recommend to the state legislature or to the president, if the governors should decide that federal regulation is preferable to state action.

**Six Hundred and Thirty Persons are Rescued From Two of the Vessels and Tugs Have Gone to the Assistance of the Other.**

**White Star Liner, Suevic, the German Liner, Novissisk, and the Steamer Jebba Were the Unfortunate Vessels—The Jebba is Destroyed and the Condition of the Other Two is so Serious That They May Not be Saved.**

London, March 18.—Three big gale are both high. Suevic was ships are ashore in the British channel. The steamer Jebba, from Africa to Plymouth is ashore off Devonshire. The seventy passengers were saved by the rocket apparatus and hauled up the perpendicular cliff to safety. The vessel was destroyed.

The German liner, Novissisk, bound from Hamburg is ashore near Beachy Head. Tugs have gone to her assistance. She is apt to go to pieces.

## JEWS OF ROMANIAN CITY ARE MASSACRED

**Appeal for Help is Sent to New York Jews by Three of the Leading Jewish Merchants of Poduleoi—Assistance Will be Sent.**

New York, March 18.—An appeal for help for the Jewish citizens of Poduleoi, Romania, stating that a massacre has been in progress there since Thursday, which was sent to the Jewish Morning Journal has aroused the greatest excitement among Jews. The message sent by three leading merchants reads: "Terrible massacre since last Thursday. The town has been totally destroyed. All Jewish population is ruined and the houses pillaged. We ask for help." Arrangements have been made to succor the suffering Jews. At a mass meeting tonight a large relief sum will be raised. Poduleoi is only thirty miles from Kishineff, the scene of the recent terrible Jewish massacre. The city contained 4,000 Jews.

## ROCKEFELLER PLANS A GIFT OF \$250,000,000

**The Oil King's Will is Expected to Provide for Large Donations to Charity and Education, But the Church will not be Given any Great Sum**

New York, March 18.—According to a member of John D. Rockefeller, Jr.'s Bible class who is also a close friend of the oil king the latter purposes to make a princely gift to the city of New York. It will amount to at least \$50,000,000 and will be partly charitable and partly educational.

The information was given to a reporter for the New York Herald.

The story is to the effect that when Mr. Rockefeller was conferring with his son at Lakewood, N. J., a fortnight ago, the meeting was not for the purpose of discussing any immediate gift but was on the subject of Mr. Rockefeller's will, which document the oil king was then completing with the aid of his son and his lawyers. It was said that this document will astonish the world when it is made public. It will, it is declared, donate no less than \$250,000,000 for charitable and educational purposes and therefrom will almost be perpetual.

The manner in which these bequests will be bestowed is said to be mainly educational and charitable. While there are some contributions for religious purposes, it is stated that Mr. Rockefeller doesn't think it necessary to extend any great financial aid to churches. To his manner of thinking the churches are growing stronger and stronger and there is no danger that they will ever need any great financial assistance from one man.

Mr. Rockefeller, however, is said to be much in favor of the growth of education and to the furtherance of this end he has done much in his will. He believes that education will make the country the greatest in the world and that every cent contributed toward that object will help to make better citizens and better Christians.

As to the charitable bequests, it was said some time ago that Mr. Rockefeller had in mind building model tenements for the poor, such as have been erected in some European cities.

"In his will," the informant states, "Mr. Rockefeller has provided these three things—bequests for religious purposes, though not of large sums; liberal bequests for education and what are described as princely bequests for charitable purposes. It is said that there is scarcely a man, woman, or child that will not benefit in some way by these prospective donations."

### NO STATEMENT REGARDING CANTON FARMERS' BANK

Canton, O., March 18.—No statement will be made as to the condition of the Farmer's bank which assigned Saturday, following the suicide of President McDowell, until the assignee files his report next Saturday. The bank was declared sound in the February statement. It is expected to open early this week for the filing claims.

## RIVER AT CINCINNATI IS STILL RISING

**From Pittsburg to Portsmouth the Flood is Receding—Woman and Three Children Perish in the Flood at Ashland, Kentucky.**

Cincinnati, O., March 18.—The crest of the flood is rapidly receding this city. The river is going down this morning from Pittsburg to Portsmouth, where it is stationary.

Here the river is 61.7 feet and is expected to rise 2 feet, then to recede. Many manufacturing plants here are closed, but the rise came so slowly that the damage was not

as heavy as was expected. At Gloucester, food and clothing were distributed today by Adjutant General Critchfield.

Near Ashland, Kentucky, a woman and three children perished in the flood. The house was surrounded by water and took fire. Passengers on a train a half mile away saw the family jump into the flood but were powerless to save them.

## "FAVORITE SON" PLAN

**Will be Adopted by the President to Beat Out the Foraker Gang.**

Washington, March 18.—President Roosevelt is trying by every possible means to prevent the nomination for presidency of a man of "reactionary sentiments," as he is pleased to term those who do not agree with

him. He is using all his influence and prestige, not in the interests of any particular man but to control the next Republican national convention in favor of a candidate yet to be decided upon who will carry out the policies he has inaugurated.

The "reactionary" Republicans to whom the president does not want to dictate the nomination of his successor are the Aldrich-Foraker, Keane clique of the senate.

The president, after thoroughly discussing the various methods by which the delegates to the next national convention may be controlled, has hit upon the old "favorite son" idea. This is to have a leading Republican in each state announce his candidacy for the presidency and have the state delegation instructed to vote for him.

WATCHING FOR A FAVORABLE WIND.



—Berryman in Washington Star.